



Analysis by the Portuguese Platform for Women's Rights of the "Twelve small actions with big impact for Generation Equality" published by UNWOMEN on 25 February 2020

Source: <https://www.unwomen.org/en/news/stories/2020/2/compilation-small-actions-big-impact-for-generation-equality>

The Portuguese Platform for Women's Rights considers very important the work done by UNWOMEN in calling the attention to small actions that, certainly, will have a big impact in realising women's and girls' human right and equality between women and men.

Nevertheless, among the small actions that are positive, there is one that is harmful, specifically § 3 which calls to *Reject the binary*.

The concept of "binarism" is not part of the international legal order under which the UN is governed, and the imperative phrase "Reject the binary" violates the United Nations legal instruments in the field of Human Rights, as is shown below.

Repeat after me: It's humankind. Not mankind.

The 2nd sentence of this paragraph does not make sense in Portuguese, or in other languages, namely UN official languages, such as French and Spanish. Therefore, as it is not universally applicable and disregarding at least 2 of the 5 official languages of the UN, there is a discriminatory supremacy of the English language, and the sentence cannot be used under the aegis of UN institutions, which is moreover reinforced by the authoritarian and "infantilizing" tone of the 1st sentence.

It might not seem like a big deal, but terms such as "male or female" and "women or men" exclude non-binary and intersex people who don't fall into any of these categories. Diverse gender identities have always existed in every culture, and ensuring the rights of transgender, genderqueer, non-binary individuals and more—who often face horrifying violence and discrimination across the world—is an inherent part of gender equality. (Generation Equality pro tip: Check out the '[Genderbread Person](#)' to learn the difference between sex, gender, gender identity and gender expression).

The wording of the 1st sentence of this paragraph, objectively and substantially removes CEDAW, its General Recommendations and its application, as well as all other instruments of international protection of Human Rights arising from the Charter of the United Nations - Preamble §2, articles 1 nº 3, 8, 13 (b), 55 (c), 56 and 76 (c) - and of the Universal Declaration of Human Rights - Preamble §5, articles 2 §1 , 7, 16 nº 1, 25 nº 2 and 29. In fact, **non-discrimination on the basis of sex** is a common element to all non-discrimination clauses in all international Human Rights protection instruments. Furthermore, Article 3 of both the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights which, with the Universal Declaration on Human Rights integrate the so-called "International Bill of



Human Rights", expressly refer to the **equal rights of men and women** within the scope of the mentioned Covenants.

On the other hand, all non-discrimination clauses in all international Human Rights protection instruments are open clauses, therefore the 2nd part of the 1st sentence is technically incorrect, due to violating the content and the open interpretation essential to the comprehensive, evolutionary and universal application of the same clauses. The so-called 'Genderbread Person' to which the text refers to is unclear and, given the text above, is clearly misleading.

Everyday language plays a huge role in breaking gender stereotypes and rejecting the binary of "male and female". Instead of using phrases like "ladies and gentlemen" or "boys and girls", swap in a gender-neutral term like "folks," "children," or "y'all." These little changes can go a long way toward shifting cultural perceptions of gender.

Following the above criticism of the so-called "reject the binary", language can use true neutrals as some of the proposed ones, but the advised non-use of words declined in masculine constitutes the adoption of a false neutral, where in practice, the masculine is universal, which implies the supremacy of men over women as a standard language norm, and leading to the violation, namely, of Article 5 (a) of the CEDAW. This allows us to assume that "these little things" are part of a strategy to promote the caducity of CEDAW, even if it is due to lack of use, and this is a violation of applicable international law.

Don't assume you know someone's pronoun or gender. One way to open up a conversation is to give your own: include your pronouns when you introduce yourself or add them to your email signature or your social media profiles. Gender pronouns include: she/her, he/him, they/them, ze/zir, ze/hir, xe/zem, and zie/hir, xe/xem, and ey/em.

When referring to a person using the pronouns, gender and name that they use to identify themselves, do not refer to or reveal a person's sexual orientation, gender identity or intersex status without their consent.

In view of the above, it appears that these "advices" to use words that do not constitute agreed language at the level of the United Nations, in seeking to introduce non-agreed language with the same level of binding as the agreed language, constitute abuse of law, with the inherent consequences in terms of legitimate institutional defense at the various appropriate levels, in view of articles 29 of the Universal Declaration, 5 of the International Covenant on Civil and Political Rights, and 5 of the International Covenant on Economic, Social and Cultural Rights, as well as the completeness of the International Convention on the Elimination of All Forms of Discrimination Against Women, CEDAW, which appears being tacitly revoked or even being in de facto expiry.



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In conclusion: In view of the above, at least Paragraph 3 of the text "Twelve small actions with big impact for Generation Equality" should be removed from the UNWOMEN page, as an entity of the United Nations, namely for violation of the founding legislation of the United Nations and CEDAW, as well as the International System for the Protection of Human Rights, which is one of the reasons for the creation and existence of this Organization, without which the world can still expect less peace, less freedom and less equality, as well as less substantive democracy.

United Nations Headquarters
11 March 2020